

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONALD CUPP,
Plaintiff,

v.

LEXISNEXIS SOLUTIONS, et al.,
Defendants.

Case No. 24-cv-00833-JD

**ORDER RE EARLY WARNING
SERVICES, LLC'S MOTION TO
DISMISS**

Pro se plaintiff Ronald Cupp has sued several consumer reporting agencies that are said to have reported inaccurate information about a bankruptcy proceeding involving him. *See generally* Dkt. No. 1. On April 29, 2024, Early Warning Services, LLC (EWS) moved to dismiss the complaint under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted. *See* Dkt. No. 38. Plaintiff Cupp's opposition was due by May 13, 2024, but he did not file one. Despite filing two case-management statements in the time since, Dkt. Nos. 46-47, Cupp has still yet to respond to the motion. "To be sure, [Cupp] gets some leeway as a pro se litigant," *Harrison v. City of Salinas*, No. 23-cv-903-JD, 2024 WL 1024739, at *2 (N.D. Cal. Mar. 7, 2024), but the record supportably shows that (1) the day after EWS's motion, Cupp properly opposed a different defendant's motion to dismiss, *see* Dkt. No. 39; and (2) Cupp's case-management statement, filed after the deadline for his opposition, explicitly acknowledged EWS's pending motion, *see* Dkt. No. 47 at 3.

Consequently, the complaint is dismissed without prejudice as to EWS pursuant to Federal Rule of Civil Procedure 41(b) for failure to comply with court-ordered deadlines.

IT IS SO ORDERED.

Dated: February 26, 2025


JAMES DONATO
United States District Judge